

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:16-CV-552-MOC-DSC**

DR. JAMES ROBERT WHITE,)
)
Plaintiff,)
)
v.)
)
GASTON COUNTY BOARD OF)
EDUCATION,)
)
Defendant.)
)
_____)

ORDER

THIS MATTER IS BEFORE THE COURT on Plaintiff’s “Motion for Leave to Amend Complaint” (document #15), Defendant’s “Response ...” (document #17), and Defendant’s “Motion to Dismiss” (document #6).

For the reasons stated therein, the Court will grant the Motion for Leave to Amend.

It is well settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

IT IS HEREBY ORDERED that:

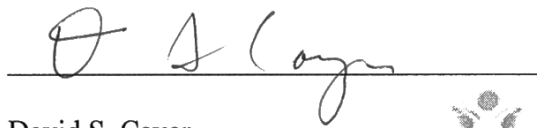
1. Plaintiff’s “Motion for Leave to Amend Complaint” (document #15) is **GRANTED**. Plaintiff shall filed his Amended Complaint within five days of this Order.

2. Defendant's "Motion to Dismiss" (document #6) is **DENIED** administratively as moot without prejudice.

3. The Clerk is directed to send copies of this Order to the parties' counsel; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: November 14, 2016

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

